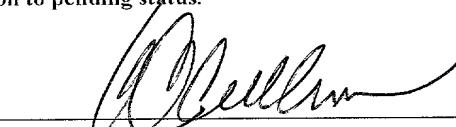


05-14-01

PCT

JC17 Rec'd PCT/PTO 10 MAY 2001

U.S. PATENT & TRADEMARK OFFICE MAY 10 2001 INTERNATIONAL APPLICATION NO. PCT/AT99/00272		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV. 1-98) <b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>	ATTORNEY'S DOCKET NUMBER 20560-32
		U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	<b>09/831679</b>
INTERNATIONAL APPLICATION NO. PCT/AT99/00272		INTERNATIONAL FILING DATE 10 November 1999	PRIORITY DATE CLAIMED 10 November 1998
TITLE OF INVENTION: <b>FACTOR VIII POLYPEPTIDE HAVING FACTOR VIII:C ACTIVITY</b>			
APPLICANT(S) FOR DO/EO/US <b>Petrus Johannes LENTING, Jan Aart VAN MOURIK, Koenraad MERTENS, Hans PANNEKOEK, Peter TURECEK, Hans-Peter SCHWARZ, and Friedrich SCHEIFLINGER</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. - This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ul> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2))</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made, however, the time limit for making such amendments has NOT expired</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (informal)</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5))</li> </ol>			
<b>Items 11. to 16. below concern document(s) or information included:</b>			
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording (informal) Assignment of the invention to <u>Baxter Aktiengesellschaft</u></li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification</li> <li>15. <input checked="" type="checkbox"/> Declaration (informal)</li> <li>16. <input checked="" type="checkbox"/> Other items of information</li> </ol>			

U.S. APPLICATION NO (if known) see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO PCT/AT99/00272	ATTORNEY'S DOCKET NUMBER 20560-32
097831679		CALCULATIONS PTO USE ONLY
17. <input type="checkbox"/> The following fees are submitted:		
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>		
Search Report has been prepared by the EPO or JPO ..... \$ International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$860.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provision of PCT Article 33(2)-(4) ..... \$ 		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	20 =	x \$18.00
Independent claims	3 =	x \$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+\$270.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.0, 1.27, 1.28).		
<b>SUBTOTAL =</b>		
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +		
<b>TOTAL NATIONAL FEE =</b>		
Fee for recording the enclosed assignment (37 CFR 1.21(h)) The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40 per property +		
<b>TOTAL FEES ENCLOSED =</b>		
		Amount to be refunded \$
		Charged \$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayments to Deposit Account No <u>16-2230</u> A duplicate copy of this sheet is enclosed		
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.		
SEND ALL CORRESPONDENCE TO		
OPPENHEIMER WOLFF & DONNELLY LLP 840 Newport Center Drive, Suite 700 Newport Beach, California 92660 Attn: Louis C. Cullman Customer No. 25204		
 SIGNATURE: Louis C. Cullman NAME: _____ 39,645 REGISTRATION NUMBER: _____		

## CERTIFICATE OF MAILING

I hereby certify that on June 25, 2001, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231.

37 C.F.R. § 1.8(a)  
 with sufficient postage  
 as first class mail

37 C.F.R. § 1.10  
 as "Express Mail Post Office to Addressee" Mailing Label No.

Angela Wendel  
 Angela Wendel

## PATENT

Applicant: Lenting et al.  
 Serial No.: 09/831679  
 Filed: 5/10/01  
 Title: FACTOR VIII  
 POLYPEPTIDE HAVING  
 FACTOR VIII: C  
 ACTIVITY  
 Examiner: Unknown  
 Group Art Unit: Unknown  
 Atty Docket No.: 20560-32

JC541 U.S. PRO  
 09/831679  


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
 ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

RECEIVED  
 13 JUL 2001  
 U.S. PATENT AND TRADEMARK OFFICE  
 INFORMATION DIVISION

Commissioner for Patents  
 Washington, D.C. 20231

Sir:

The above-identified application became abandoned for failure to provide the full U.s. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

This application became abandoned on May 10, 2001.

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

## 1. Petition Fee

- Small Entity – fee \$ 620.00 (37 CFR 1.17(m))
- Small entity statement enclosed herewith.
- Small entity statement previously filed.
- Other than small entity – fee \$ 1,240.00 (37 CFR 1.17(m))

07/10/2001 MNNGUYEN 00000119 09831679

01 FC:141

1240.00 DP

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of the Basic filing fee:

has been filed previously on \_\_\_\_\_.  
 is enclosed herewith.

B. The Issue fee of \$\_\_\_\_\_

has been paid previously on \_\_\_\_\_.  
 is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20 (d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith.

4. Payment of fee

Enclosed please find check for  \$620.  \$2,580 (\$1340 Basic Filing Fee plus \$1,240 Revival Fee)

Charge Account 16-2230 for any additional fee required.  
 Charge Account 16-2230 the sum of  \$605.00.  \$1,210.00.

A duplicate of this petition is attached.

5. Statement. The entire delay in filing the basic filing fee until the filing of a grantable petition under 37 CFR 1.137 (b) was unintentional.

Dated: June 25, 2001

  
\_\_\_\_\_  
Louis C. Cullman  
Registration No. 39,645

OPPENHEIMER WOLFF & DONNELLY LLP  
840 Newport Center Drive, Suite 700  
Newport Beach, CA 92660  
Telephone: (949) 823-6000  
Facsimile: (949) 823-6030

PTAB 00000000000000000000000000000000 05 JUL 2001

PTO/SB/17 (11-00)

Approved for use through 10/31/2002, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**For FY 2001**

Patent fees are subject to annual revision on October 1

		<i>Complete if known</i>			
		Application Number		09/831679	
		Filing Date		5/10/01	
		First Named Inventor		Lenting	
		Examiner Name		Unknown	
		Group/Art Unit		Unknown	
<b>TOTAL AMOUNT OF PAYMENT</b>		(\$ ) 1340.00		Attorney Docket No.	
		20560-32			

**METHOD OF PAYMENT (check one)**

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to Deposit Acct. No. 16.2230

Charge any addition fee required under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed: Check     Money Order     Other**FEES CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Code (\$)	Fee	Code (\$)	Fee	<u>Fee Description</u>	
101	710	201	355	Utility Filing Fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
970	860	971	430	National Filing w/EPO Search	860
<b>SUBTOTAL (1)</b>				860	

**2. EXTRA CLAIM FEES**

Total Claims	19	-20* =	0	x		=	Fee from below	Fee Paid
Independ	9	-3* =	6	x	80	=	480	
claims								

## Multiple Dependent

\*or number previously paid, if greater. For reissues, see below

Large Entity Small Entity

Fee	Fee	Fee	Fee	<u>Fee Description</u>
103	18	203	09	Claims in excess of 20
102	80	202	40	Indep claims in excess of 3
104	270	204	135	Multiple depend claim, if not pd
109	80	209	40	*Reissue independent claims over original patent
110	18	210	09	*Reissue claims in excess of 20 and over original patent

07/10/2001 MNNGUYEN 00000119 09831679

02 FC:970

860.00 DP

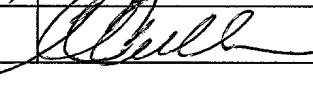
03 FC:964

480.00 DP

**SUBTOTAL (2) 1340.00****3. ADDITIONAL FEES**

Large Entity	Small Entity	Entity	Fee	Description	Fee Paid
Code (\$)	Fee	Code (\$)	Fee		
105	130	205	65	Surcharge-late filing fee or oath	
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2520	147	2520	For filing a request for reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1840	113	1840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1390	218	695	Extension for reply within fourth month	
128	1890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1510	138	1510	Petition to Institute a public use proceed	
140	110	240	55	Petition to revive - unavoidable	
141	1240	241	620	Petition to revive - unintentional	1240
142	1240	242	620	Utility Issue fee (or reissue)	
143	440	234	220	Design Issue fee	
144	600	244	300	Plant Issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional apps	
126	180	126	180	Submission of Info Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129)(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129)(b))	
179	710	279	355	Request for continued Examination	
169	900	169	900	Request for Expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee				<b>SUBTOTAL (3)</b>	1240.00

**SUBMITTED BY**

Name (Type/Print)	Louis Cullman	Complete (if applicable)
Signature		Reg. Number 39,645
Date	06/25/01	Deposit Account User ID 16-2230